

PATENT

App. Ser. No.: 09/904,734

Atty. Dkt. No. ROC920010101US1

PS Ref. No.: IBMK10101

REMARKS

This is intended as a full and complete response to the Final Office Action dated September 22, 2005, having a shortened statutory period for response set to expire on December 22, 2005. Applicants submit this response to place the application in condition for allowance or in better form for appeal. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-27 are pending in the application. Claims 1-27 remain pending following entry of this response.

Claim Rejections - 35 U.S.C. § 103

Claims 1, 3-5, 7-9, 12-14, 16, 18-20 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Veditz et al.* ("*Veditz*"), U.S. Patent No. 6,496,793, in view of *Watanabe et al.* ("*Watanabe*"), U.S. Patent No. 6,185,729. Applicants respectfully traverse this rejection.

The Examiner bears the initial burden of establishing a *prima facie* case of obviousness. See MPEP § 2142. To establish a *prima facie* case of obviousness three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Third, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See MPEP § 2143. The present rejection fails to establish at least the third criteria.

For example, *Veditz* does not teach or suggest determining whether a client request includes ... a request character set designation, and if the client request does not include the request character set designation, (i) retrieving locale information contained in the client request and (ii) associating the locale information with the request character set designation using mapping data located on the server, as recited by claim 1 and 16.

PATENT

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Generally, *Veditz* discloses a non-networked system that will "intelligently process data objects created or modified under one language driver with those created or modified by a different language driver." *Veditz*, Abstract. The system disclosed by *Veditz* "continually checks and maintains correct language configuration. A descriptor or Language Driver Identifier (LDID) (e.g., in the form of a system-comparable unit) is employed for storing in desired location(s) of a data object information specifying the language driver that was in use when the data object was created or modified." *Veditz*, 3:23-28.

This process of maintaining a correct language configuration enables the system of *Veditz* to determine when the system is inappropriately configured for a data object about to be processed. *Veditz*, 7:45-50. Each data object in the system may be tagged with an LDID, and the system itself maintains an "active" LDID (i.e., the LDID presently being used by the system). *Veditz*, 14:56-62. The active LDID, in turn, is written to data objects which the system "touches" (i.e., creates or modifies). *Veditz*, 14:63-64. In the event of a mismatch between the "active" LDID and the LDID of a "data object," corrective actions may be taken.

The system disclosed in *Veditz* requires data objects be "tagged" with an LDID value in order to function. The present claims, however, are directed to determining a character set when a "client request" *expressly fails* to include a character set designation. For example, claims 1 and 16 recite: "determining whether the client request includes, as part of the network communication protocol, a request character set designation; and if the client request *does not* include the request character set designation [performing subsequent steps]."

One of the subsequent steps recited by claims 1 and 16 recite: "retrieving locale information contained in the client request" In other words, when a character set designation is not included in the request, retrieve something else *from the client request*; in this case "locale information" contained in the client request. On this point, the Examiner cites *Veditz* Figure 3B and states "Fig. 3B → compares LDID of data file to Active LDID; see also col. 3, lines 29-31" See *Final Office Action*, p. 3. The passage

Page 8

408096_1

PATENT

App. Ser. No.: 09/904,734

Atty. Dkt. No. ROC920010101US1

PS Ref. No.: IBMK10101

cited by the Examiner, however, merely describes that the LDID may be represented using a byte (i.e., 8 bits of data):

The LDID, which may be in the form of an ID byte, references a set of language driver values (e.g., lookup table of locales).

Further, Figure 3 is a flow chart "illustrating a language-dependent file operation method of the present invention." *Veditz*, 4:20-21. The method generally includes comparing a data value from a database header file with the current "active LDID" maintained by the system. If no "LDID value" is included in the data object, *Veditz* discloses that a database object may be opened using a read-only access mode. See e.g., *Veditz*, Figure 3A, 304.

If an "LDID value" is stored with the data object, *Veditz* discloses comparing this value with the "Active LDID. See e.g., *Veditz*, Figure 3B. The "Active LDID" value, however, is not *"retrieved from the client request"* as recited by claims 1 and 16; instead the "Active LDID" is a value maintained by the system for "tagging" each "data object" modified during a given session. For example, *Veditz*, Figure 2A illustrates the "active LDID" element as part of the language configurator 230. Separately, Figure 2B also illustrates a data object 201, with a local LDID 215 in a header file. Even assuming that the "data object" illustrated in Figure 2 reads on the recited "client request," clearly the "active LDID" is not retrieved *from the data object* 201. Quite the contrary, the "active LDID" is a system variable independent of any particular data object or request. Thus, Applicants respectfully submit that the material cited by the Examiner fails to disclose "each and every limitation" recited by claims 1 and 16.

Claim 1 also recites a parallel step for processing a "server response." The assertions of the Examiner regarding the method "server response" rely on the same material just discussed and, for the same reasons, are similarly flawed.

Therefore, claims 1 and 16 are believed to be allowable, and Applicants respectfully request allowance of same.

Similarly, claim 12 recites steps performed by a program on a computer readable medium configured to determine if a request header composed according to a network

PATENT

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communications protocol received with a client request from the at least one client computer designates a character set; and if the request header does not designate the character set: (i) retrieve locale information from the client request; and (ii) associate the locale information with a character set. In rejecting this claim, the Examiner asserts: "Claim 12 incorporates substantially similar subject matter as claim 1, and is rejected along the same rationale." See *Final Office Action*, p. 6. As demonstrated above, however, the Examiner's rationale relies on a comparison between a system stored value (the "active LDID") and a value retrieved from a database header file (a "local LDID" value. However, the claim recites steps to determine whether a request header ... expressly does *not* designate a character set, and if not, then retrieve locale information *from the client request*. In other words, the claimed operation determines whether the client request includes something, and if not, retrieves something else from the client request. The material cited by the Examiner compares a value for a "local LDID" with a system "active LDID" value. Thus, Applicants submit that claim 12 and the claims dependent from this claim are believed to be allowable, and respectfully, request allowance of same.

Claims 2, 6, 10, 11, 17, 21, 26 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Veditz* in view of *Horn et al.* ("*Horn*"), U.S. Patent Application Publication No. 2002/0156688.

Regarding claims 2, 6, 10, 11, 17, 21, 26 and 27, each of these claims depends from one of claims 1, 12, and 16. Applicants submit that the above remarks overcome the rejection of independent claims 1 and 21, and therefore, submit that the rejection of dependent claims 19, 20, 39, 40 and 45, is obviated without the need for further comment.

Claims 15 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Veditz* in view of *Kan et al.* ("*Kan*"), U.S. Patent Application Publication No. 2003/0088544.

PATENT

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Regarding claims 15 and 25, each of these claims depends from one of claims 1 and 21. Applicants submit that the above remarks overcome the rejection of independent claims 12 and 16, and therefore, submit that the rejection of dependent claims 15 and 25 is obviated without the need for further comment.

Therefore, the claims are believed to be allowable, and allowance of the claims is respectfully requested.

Conclusion

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

If the Examiner believes any issues remain that prevent this application from going to issue, the Examiner is strongly encouraged to contact Gero McClellan, attorney of record, at (336) 643-3065, or the undersigned attorney to discuss strategies for moving prosecution forward toward allowance.

Respectfully submitted,

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